



US Army Corps
of Engineers
Seattle District

Public Notice of Application for Permit

Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-3495
ATTN: Rozwin K. Liera, Project Manager

Public Notice Date: August 17, 2006
Expiration Date: September 15, 2006
Reference: 200600148
Name: Moss, Jerome S. and Ann H.

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of 1899, for certain work described below and shown on the enclosed drawings.

APPLICANT: Mr. Jerome S. & Ms. Ann Holbrook Moss
421 North Beverly Drive, Suite 260
Beverly Hills, California 90210
Telephone: (310) 271-8866

AGENT: Ms. Francine Shaw
Law Office of Stephanie Johnson O'Day
Post Office Box 2112
Friday Harbor, Washington 98250
Telephone: (360) 378-6278

LOCATION: In Rocky Bay, at O'Neal Island, San Juan County, Washington.

WORK: Construct a pier, install a ramp and float and drive piling.

PURPOSE: Safe boat access to island.

ADDITIONAL INFORMATION:

MITIGATION: Applicant will remove 90 square feet of manmade debris from the bottom of Reid Harbor.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. The Bald eagle (*Haliaeetus leucocephalus*) threatened; Puget Sound bull trout (*Salvelinus confluentus*) threatened; Puget Sound Chinook (*Oncorhynchus tshawytscha*) threatened; Marbled Murrelet (*Brachyramphus marmoratus*), threatened; Steller Sea-Lion, (*Eumetopias jubatus*), threatened; Leatherback Sea Turtle, (*Dermochelys coriacea*), endangered; Humpback Whale, (*Megaptera novaeangliae*), endangered; and Killer Whale, (*Orcinus orca*), endangered in the state of Washington, may occur in the proposed project area. For Puget Sound bull trout, Puget Sound Chinook, Marbled Murrelet and Steller Sea-Lion, critical habitat has been designated. After receipt of comments from this public notice, the U.S. Army Corps of Engineers will evaluate the potential impacts to the Bald eagle,

Puget Sound bull trout, Puget Sound Chinook, Marbled Murrelet, Steller Sea-Lion, Leatherback Sea Turtle, Humpback Whale, and Killer Whale.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed action would impact approximately 514 square feet of EFH for Pacific salmon, Groundfish, and Coastal Pelagic Species in the project area. The U.S. Army Corps of Engineers (Corps) has determined that the proposed action will not adversely affect designated EFH for federally managed fisheries in Washington waters. No further EFH consultation is necessary.

CULTURAL RESOURCES: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. There are no recorded historic properties within the permit area. The proposed work is of such a limited nature and extent that little likelihood exists for the project to impinge upon an unrecorded historic property. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

ADDITIONAL EVALUATION: The State of Washington is reviewing this work (for consistency with the approved Washington Coastal Zone Management Program)(and for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act).

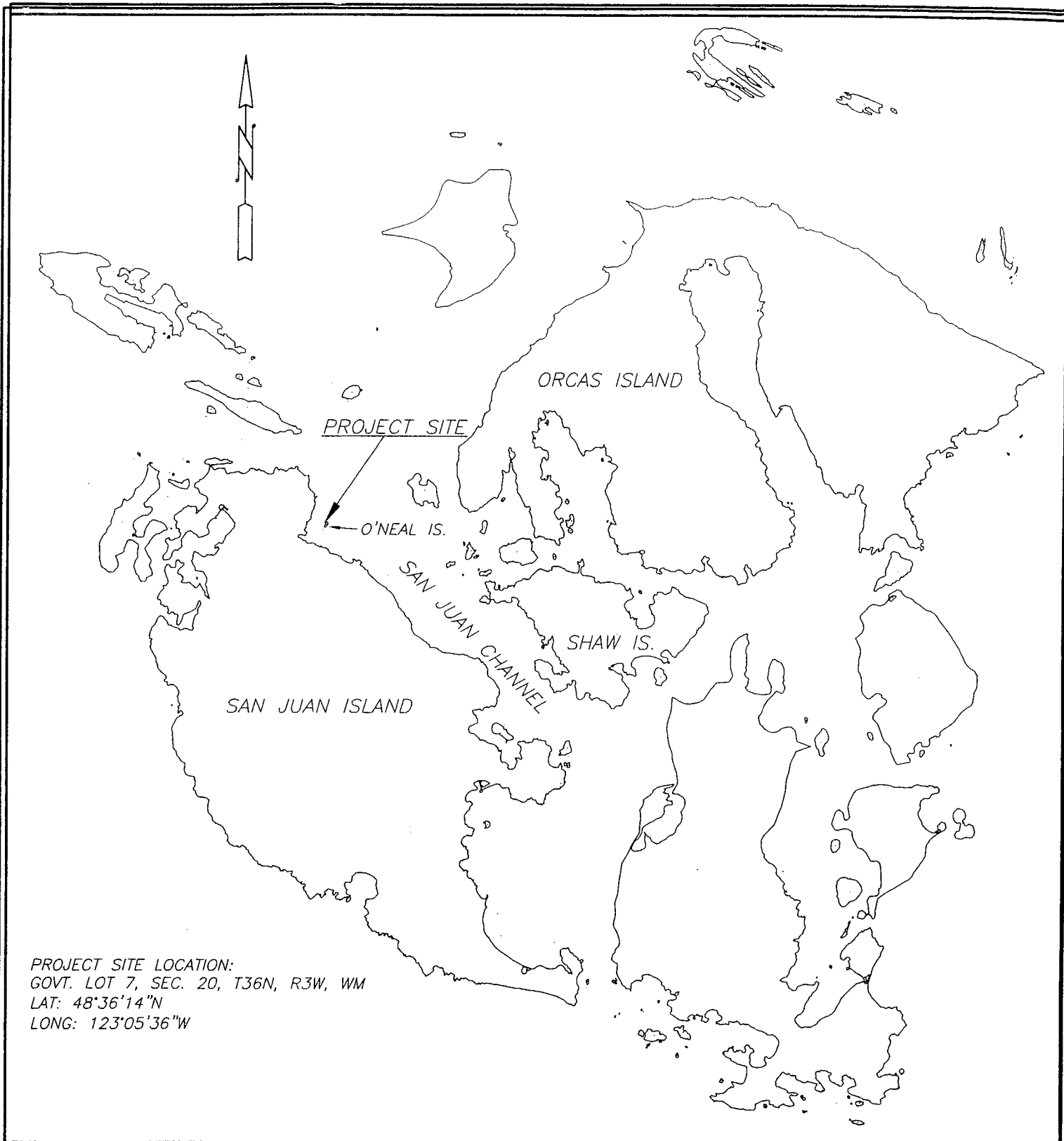
200600148

This proposal is the subject of Shorelines Substantial Development Permit No. 05SJ021 which has been issued by San Juan County.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to rozwin.k.liera@usace.army.mil. Conventional mail comments should be sent U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington 98124-3755. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

Moss, Jerome S. and Ann H., 200600148

Encl
Drawings (6)



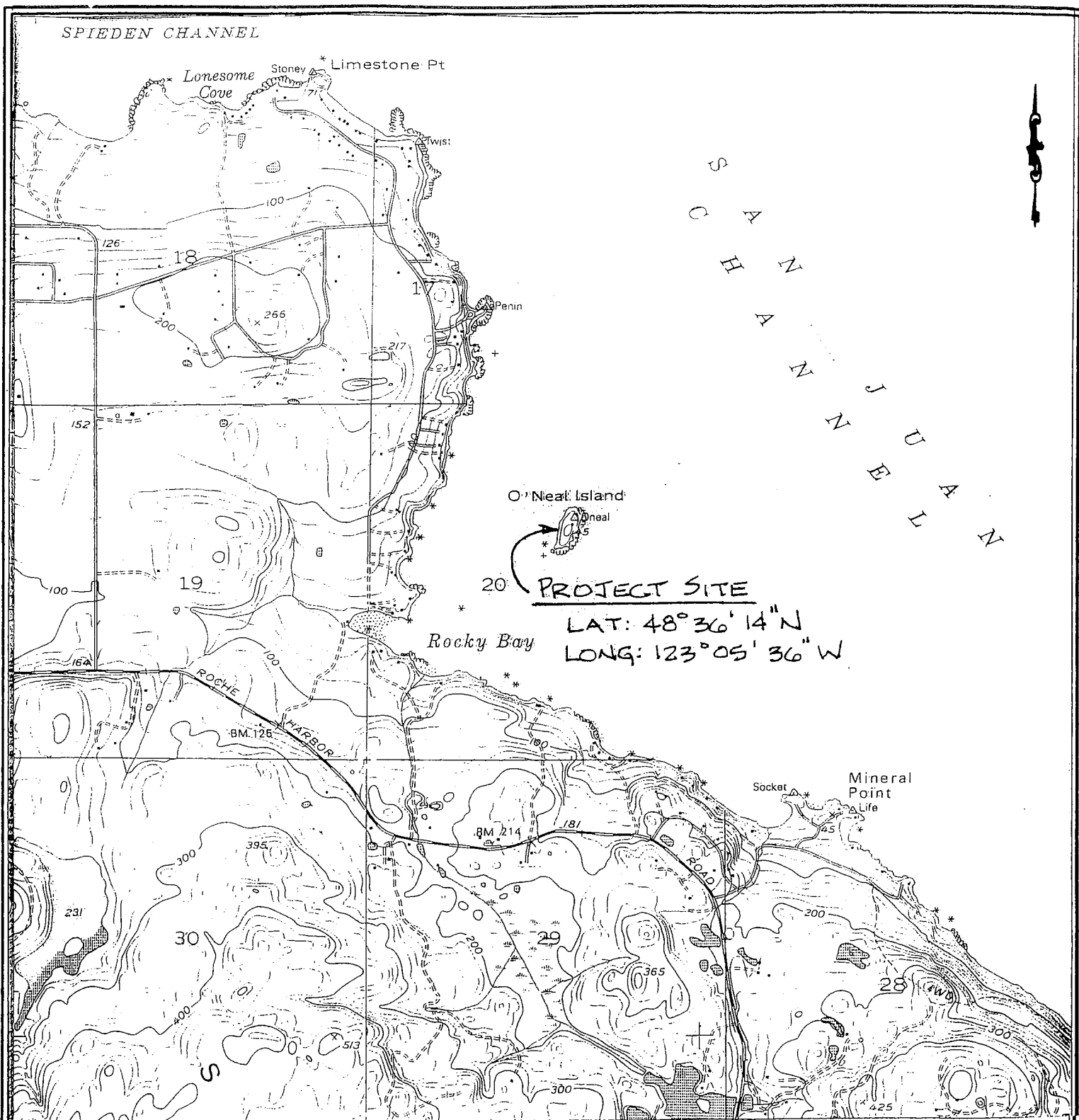
PROJECT SITE LOCATION:
 GOVT. LOT 7, SEC. 20, T36N, R3W, WM
 LAT: 48°36'14"N
 LONG: 123°05'36"W

200600148

PURPOSE: PRIVATE RECREATIONAL USE
 DATUM: N.O.S. MLLW = 0.00'
 NAME OF ADJACENT PROPERTY
 OWNERS: NO ADJACENT PROPERTY
 OWNERS ON O'NEAL ISLAND

LOCATION MAP
 SCALE: 1" = 16,000'

PROPOSED NEW PIER, RAMP AND
 FLOAT, AND REBUILDING OF EXISTING
 RAMP AND BULKHEAD
 IN ROCKY BAY:
 AT: O'NEAL ISLAND
 COUNTY: SAN JUAN STATE: WA
 APPLICATIONS BY: JEROME S. AND
 ANN HOLBROOK MOSS:
 SHEET 1 OF 6 DATE: 4/28/06



PURPOSE: PRIVATE RECREATIONAL USE
 DATUM: N.O.S. MLLW = 0.00'
 NAME OF ADJACENT PROPERTY
 OWNERS: NO ADJACENT PROPRTY
 OWNERS ON O'NEAL ISLAND

LARGE VICINITY MAP
 SCALE: 1" = 2000'

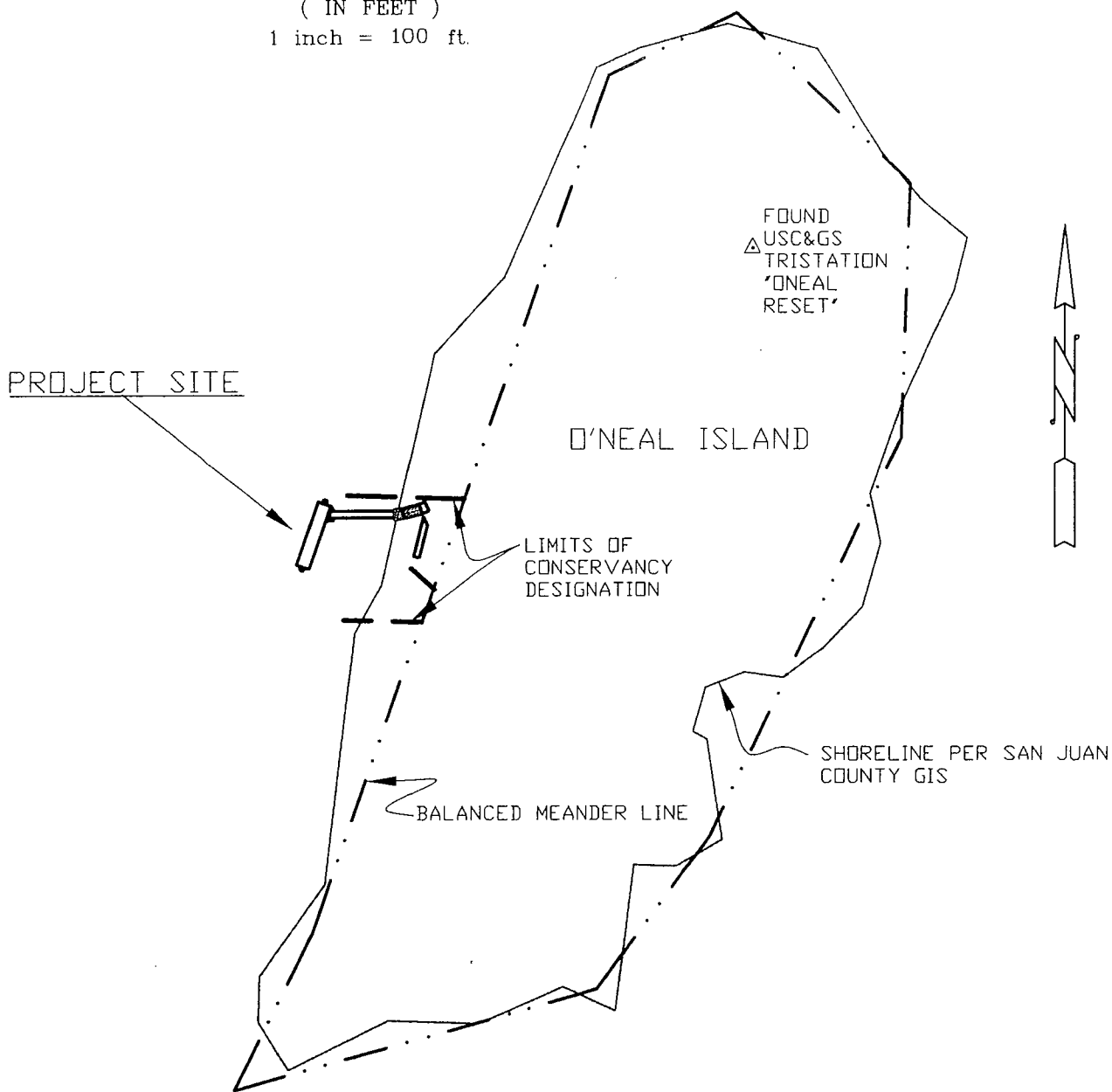
PROPOSED NEW PIER, RAMP AND
 FLOAT, AND REBUILDING OF EXISTING
 RAMP AND BULKHEAD

IN ROCKY BAY:
 AT: O'NEAL ISLAND
 COUNTY: SAN JUAN STATE: WA
 APPLICATIONS BY: JEROME S. AND
 ANN HOLBROOK MOSS:
 SHEET 2 OF 6 DATE: 4/28/06

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.



200600148

PURPOSE: PRIVATE RECREATIONAL USE
DATUM: N.O.S. MLLW = 0.00'
NAME OF ADJACENT PROPERTY OWNERS: NO ADJACENT PROPERTY OWNERS ON O'NEAL ISLAND

SMALL VICINITY MAP
SCALE: 1"=100'

PROPOSED NEW PIER, RAMP AND FLOAT, AND REBUILDING OF EXISTING RAMP AND BULKHEAD
IN ROCKY BAY:
AT: O'NEAL ISLAND
COUNTY: SAN JUAN STATE: WA
APPLICATIONS BY: JEROME S. AND ANN HOLBROOK MOSS:
SHEET 3 OF 6 DATE: 4/28/06

PROPOSED 4' BY 6' FOAM-FILLED
CONCRETE RAMP SUPPORT FLOAT

EXISTING GRAVEL PATH

PROPOSED 6' WIDE
CONCRETE PIERHEAD

PROPOSED 4' BY 40'
ALUMINUM RAMP

PROPOSED 6' WIDE
WOOD PIER

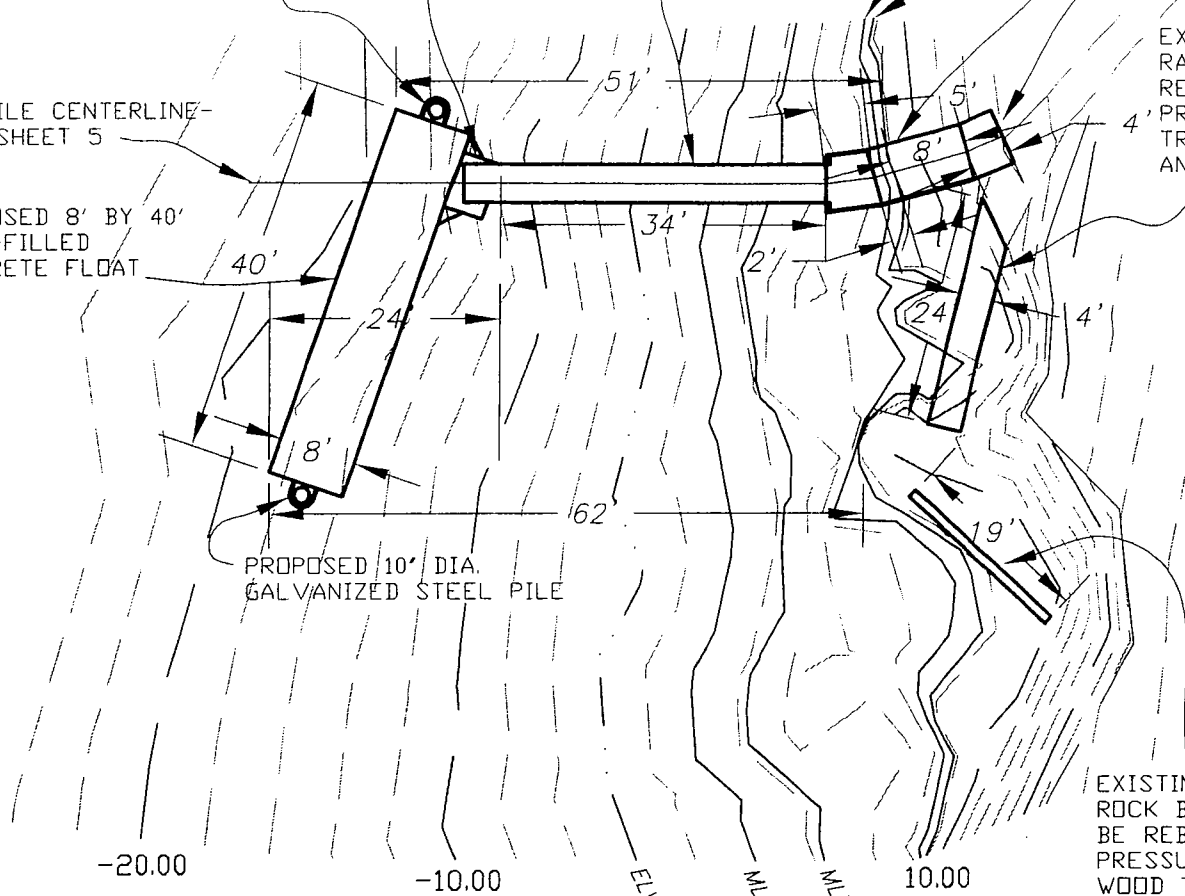
MHHW=7.7'
MHW=7.0'

PROPOSED 10' DIA.
GALVANIZED STEEL PILE

EXISTING WOOD
RAMP TO BE
REBUILT WITH
4' PRESSURE
TREATED TIMBER
AND PLANKING

PROFILE CENTERLINE-
SEE SHEET 5

PROPOSED 8' BY 40'
FOAM-FILLED
CONCRETE FLOAT



GRAPHIC SCALE



(IN FEET)

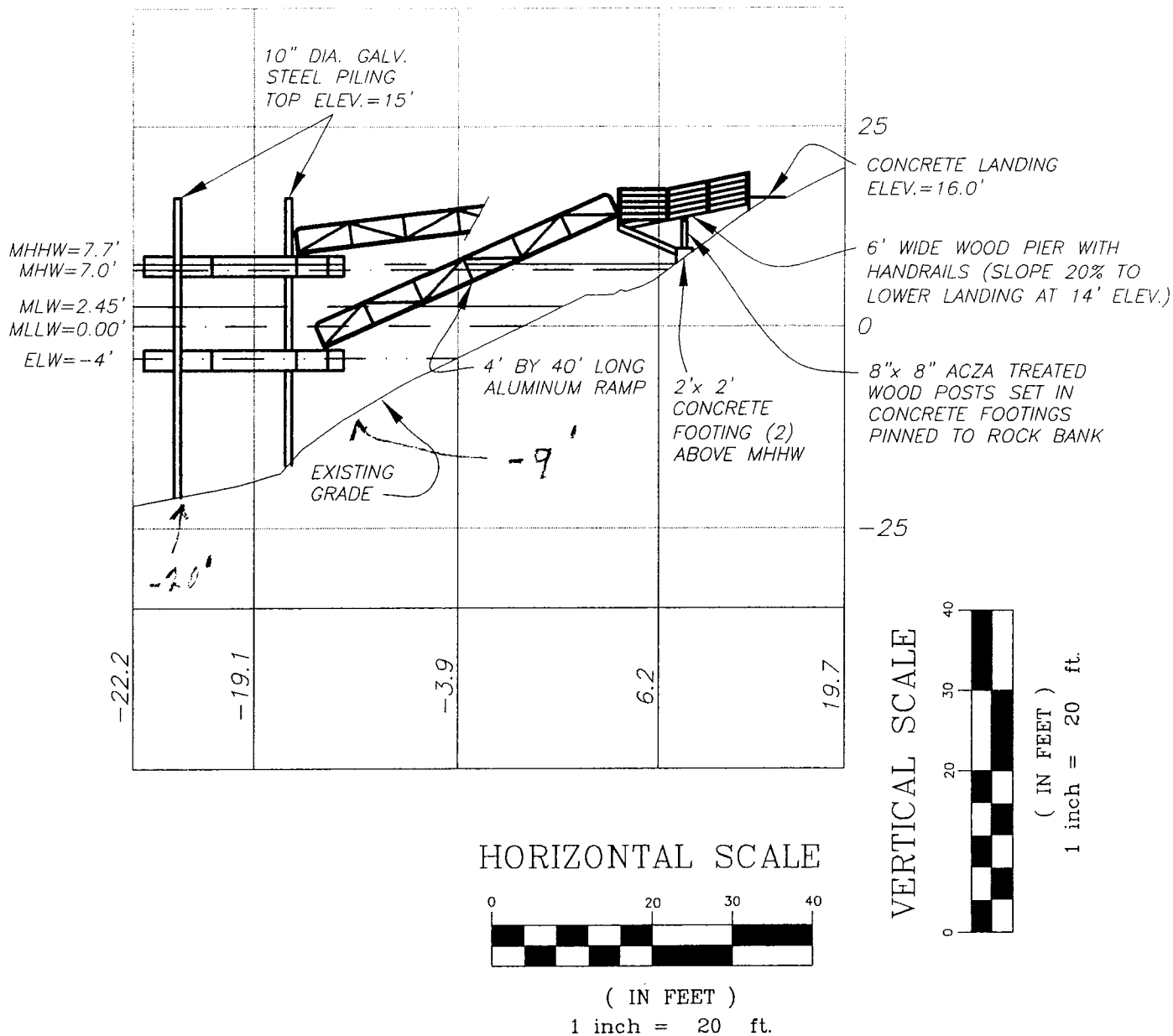
1 inch = 20 ft.

200600148

PURPOSE: PRIVATE RECREATIONAL USE
DATUM: N.O.S. MLLW = 0.00'
NAME OF ADJACENT PROPERTY
OWNERS: NO ADJACENT PROPERTY
OWNERS ON O'NEAL ISLAND

PLAN VIEW
SCALE: 1" = 20'

PROPOSED NEW PIER, RAMP AND
FLOAT, AND REBUILDING OF EXISTING
RAMP AND BULKHEAD
IN ROCKY BAY:
AT: O'NEAL ISLAND
COUNTY: SAN JUAN STATE: WA
APPLICATIONS BY: JEROME S. AND
ANN HOLBROOK MOSS:
SHEET 4 OF 6 DATE: 4/28/06



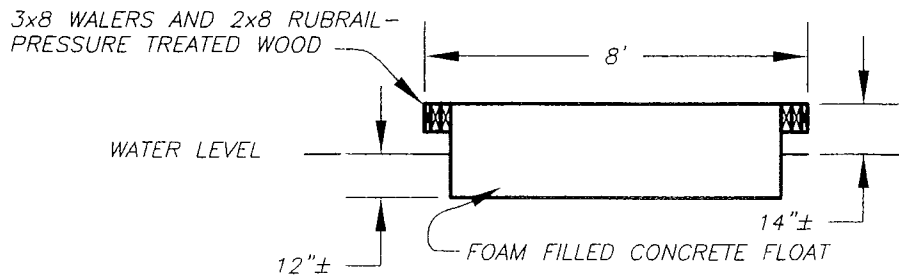
NOTE: TIDAL ELEVATIONS BASED ON AVERAGE OF FRIDAY HARBOR AND ROCHE HARBOR TIDAL ELEVATIONS. DATUM IS MEAN LOWER LOW WATER AS DETERMINED FROM REAL TIME WATER ELEVATIONS AS REPORTED FOR FRIDAY HARBOR.

200600148

PURPOSE: PRIVATE RECREATIONAL USE
DATUM: N.O.S. MLLW = 0.00'
NAME OF ADJACENT PROPERTY
OWNERS: NO ADJACENT PROPERTY
OWNERS ON O'NEAL ISLAND

PROFILE OF PROPOSED
NEW PIER, RAMP AND
FLOAT
SCALE: 1" = 20'

PROPOSED NEW PIER, RAMP AND
FLOAT, AND REBUILDING OF EXISTING
RAMP AND BULKHEAD
IN ROCKY BAY:
AT: O'NEAL ISLAND
COUNTY: SAN JUAN STATE: WA
APPLICATIONS BY: JEROME S. AND
ANN HOLBROOK MOSS:
SHEET 5 OF 6 DATE: 4/28/06



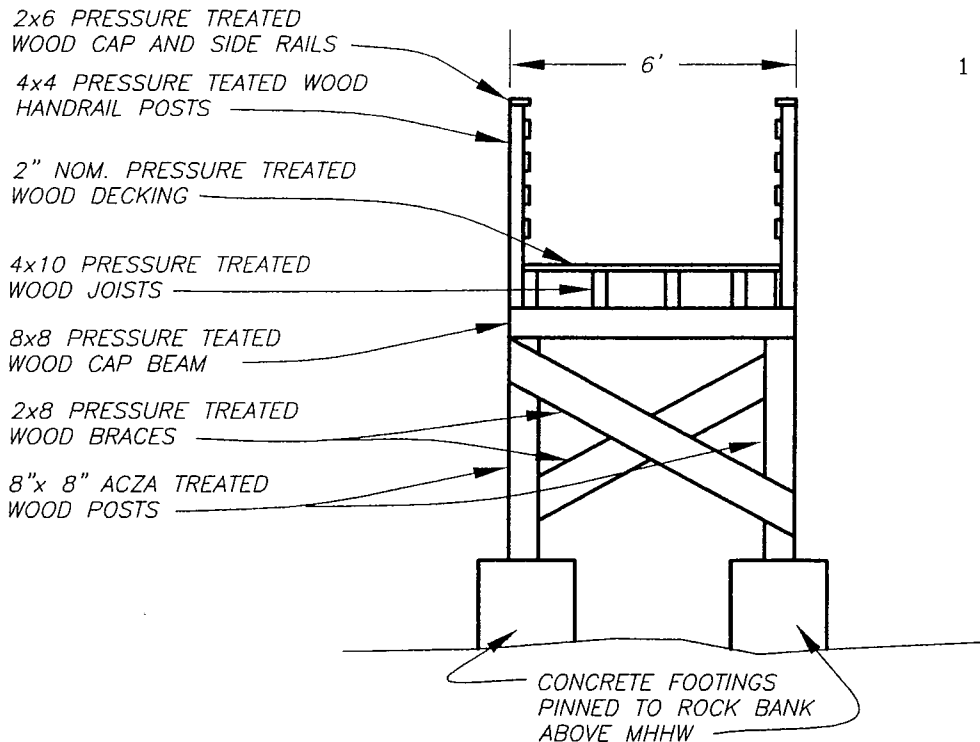
FLOAT CROSS-SECTION
SCALE: 1" = 4'

HORIZONTAL SCALE



(IN FEET)

1 inch = 4 ft.



PIER CROSS-SECTION
SCALE: 1" = 4'

VERTICAL SCALE



(IN FEET)

1 inch = 4 ft.

200600148

PURPOSE: PRIVATE RECREATIONAL USE
DATUM: N.O.S. MLLW = 0.00'
NAME OF ADJACENT PROPERTY
OWNERS: NO ADJACENT PROPRTY
OWNERS ON O'NEAL ISLAND

FLOAT AND PIER
CROSS-SECTIONS
SCALE: 1" = 4'

PROPOSED NEW PIER, RAMP AND
FLOAT, AND REBUILDING OF EXISTING
RAMP AND BULKHEAD

IN ROCKY BAY:
AT: O'NEAL ISLAND
COUNTY: SAN JUAN STATE: WA
APPLICATIONS BY: JEROME S. AND
ANN HOLBROOK MOSS:

SHEET 6 OF 6 DATE: 4/28/06



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

*P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006*

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Notice of Application for
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: August 17, 2006

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200600148 will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that Program.

Any person desiring to present views on the project pertaining to the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator
Department of Ecology
SEA Program
Post Office Box 47600
Olympia, Washington 98504-7600